

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24254 of 2024

Arising Out of PS. Case No.-52 Year-2023 Thana- NEORA District- Patna

1. Manoj Thakur @ Manoj Kumar son of Late Suresh Thakur Village-Tikaytipur PS-Neora Dist- Patna
2. Ram Narayan Thakur @ ram Narayan Kumar son of Manoj Thakur Village-Tikaytipur PS-Neora Dist- Patna
3. Sujit Thakur @ Rinku thakur son of Awdesb thakur Village- Tikaytipur PS-Neora Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadab Akhter, Advocate
For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Neora P.S. Case No. 52 of 2023, registered on 18.10.2023 for the offences under Sections 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other co-accused persons assaulted the informant with iron rod and *danda* causing fracture of his hand and leg. They also took Rs. 2,000/- from his pocket.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Real fact of the case is that the cousin of the informant entered into the house of the petitioners with intention of theft and was caught red handed and was assaulted by some persons and police took him away. The informant side threatened the petitioners not to lodge the FIR but as they were continuously threatening the petitioners, the wife of petitioner no.1 lodged Neora P.S. Case No. 51 of 2023 and in retaliation thereof, the present case has been lodged after delay of four days for which there is no explanation. Injury report is on record is dated 22.11.2023 whereas the date of discharge is shown as 26.10.2023. This shows the *malafide* intention of the informant and the injured. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further considering the clean antecedent of the petitioners coupled with strong possibility of false implication, let the petitioners above



named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Danapur, Patna/concerned court in connection with Neora P.S. Case No. 52 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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